

347—300.2(17A) Scope and application of the contested case hearing rules.

300.2(1) The rules contained in this chapter only apply to hearing before the commissioner, an administrative law judge designated by the commissioner, or the division and shall not apply to any hearing conducted by the employment appeal board pursuant to Iowa Code sections 88.8, 89A.10(2), and 549.8, or the department of inspections and appeals pursuant to Iowa Code section 89A.10(2).

300.2(2) These rules provide due process, through an administrative hearing, for any person when the division instigates action to suspend or revoke a license, variance, certificate, permit, certification, commission or similar right, or when the division wants to assess civil penalties or sanctions against a person. Specifically, these rules will apply to action taken by the division in administration and enforcement of Iowa Code chapters 88, 88A, 88B, 89, 89A, 89B, 90A, 91A, 95, and 1988 Iowa Acts, chapter 1162. These rules do not apply to hearings before the employment appeal board (see Iowa Code section 10A.601) or the department of inspections and appeals (see Iowa Code section 10A.202(1) “b”).